

An Ordinance

By: **Zoning Committee**

01-0 -1357

AN ORDINANCE TO AMEND SECTION 16-25.002(3)h(iv)(i), ENTITLED "SPECIAL USE PERMITS, GENERAL," *OTHER PERMISSIBLE ANTENNAS* TO EMPOWER THE DIRECTOR OF THE BUREAU OF PLANNING TO ISSUE A SPECIAL ADMINISTRATIVE PERMIT FOR APPLICANTS WHO SEEK TO USE EXISTING ANTENNAS FOR ADDITIONAL OR NEW SERVICES; AND AMENDING SECTIONS 16-03.005 THROUGH 16-13.005 TO CONFORM WITH THE AMENDMENT TO SECTION 16-25.002(3)h(iv)(i).

NOW THEREFORE, the Council of the City of Atlanta, Georgia hereby ordains the following:

Section I. That Section 16-25.002(3)h(iv)(i) which reads:

The director of the bureau of planning may issue a special administrative permit in accordance with section 16-25.004 for antennas designed to resemble light standards, clock towers, bell steeples, trees, and similar alternative design mounting structures, provided such antenna is determined by the director to satisfy such requirements set forth in subsections (a) through (e) above as deemed necessary by the director.

be deleted in its entirety and a new Section 16-25.002(3)h(iv)(i) substituted in lieu thereof which reads as follows:

The director of the bureau of planning may issue a special administrative permit in accordance with section 16-25.004 for (1) antennas designed to resemble light standards, clock towers, bell steeples, trees, and similar alternative design mounting structures, *and (2) new or additional uses utilizing existing antennas, where the height of the antenna is not to be increased*, provided, *in both instances*, such antenna is determined by the director to satisfy such requirements set forth in subsections (a) through (e) above as deemed necessary by the director.

Section II. That Section 16-03.005(1)(i) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section III. That Section 16-03.005(2)(b) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section IV. That Section 16-04.005(1)(i) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section V. That Section 16-04.005(2)(b) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section VI. That Section 16-04A.005(1)(g) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section VII. That Section 16-04A.005(2)(b) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section VIII. That Section 16-05.005(1)(i) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section IX. That Section 16-05.005(2)(b) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section X. That Section 16-05A.005(1)(g) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XI. That Section 16-05A.005(2)(b) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XII. That Section 16-06.005(1)(i) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XIII. That Section 16-06.005(2)(b) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XIV. That Section 16-06A.005(1)(i) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XV. That Section 16-06A.005(2)(b) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XVI. That Section 16-06B.005(1)(i) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XVII. That Section 16-06B.005(2)(b) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XVIII. That Section 16-07.005(1)(i) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XIX. That Section 16-07.005(2)(c) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XX. That Section 16-08.005(1)(h) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXI. That Section 16-08.005(2)(c) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXII. That Section 16-09.005(1)(a) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXIII. That Section 16-09.005(2)(d) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXIV. That Section 16-10.005(1)(f) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXV. That Section 16-10.005(2)(d) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXVI. That Section 16-11.005(1)(f) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXVII. That Section 16-11.005(2)(d) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXVIII. That Section 16-12.005(1)(e) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXIX. That Section 16-12.005(2)(d) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design

mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXX. That Section 16-13.005(1)(e) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXXI. That Section 16-13.005(2)(d) be amended to read:

Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and alternative design mounting structures *and new or additional uses of existing structures* as contemplated by section 16-25.002(3)h(iv)(i).

Section XXXII. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.